



City of Carlsbad

Office of the City Manager

July 8, 2008

Peter M. Douglas
Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

SUBJECT: Reconsideration of the Coastal Commission Review of the Carlsbad Energy Center Project (07-AFC-06)

Dear Mr. Douglas:

The City of Carlsbad would like to request that you reconsider Coastal staff's involvement in the Application for Certification (AFC) process regarding the proposed Carlsbad Energy Center Project (CECP), which is currently before the California Energy Commission (07-AFC-06).

As you may recall, in a letter dated October 16, 2007, your office submitted a letter to Mr. Blevins, Executive Director of the California Energy Commission (CEC), notifying him that the Coastal Commission (Coastal) was not going to participate in several proposed power plant Applications for Certification. The proposed Carlsbad Energy Center Project (referred to as the Encina Replacement Project in the October 16th letter) was one of the projects identified that Coastal staff would not be reviewing.

While the City understands and appreciates the reasons you outlined which necessitated the need to suspend Coastal staff's involvement in the AFC proceedings, the City now believes that the CECP's proposed changes, as well as its environmental impacts, warrant Coastal's attention and review. Specifically, the City believes that a long term visual impact and a significant land use conflict will be created as a result of the CECP. If not avoided, this visual impact will clearly result in the diminishment of a valuable coastal resource in San Diego's North County.

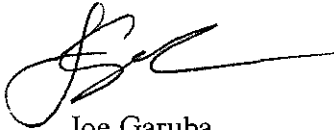
Furthermore, in a letter dated June 5, 2008, NRG has notified the CEC that the height of the two smokestacks will be increased from 100 ft. to 139 ft. Included in this letter was NRG's intention of continued use of the existing Encina ocean intake/outfall infrastructure for water and industrial wastewater discharge.



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As you are aware, the California Coastal Act Section 30143 (d) calls for Coastal review of these types of projects. Recognizing the increasing challenges that the CECP presents and its impact on such a valuable coastal resource, the City of Carlsbad requests that you reconsider your earlier position and direct your staff to participate in the review of the CECP AFC.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Garuba', with a long horizontal flourish extending to the right.

Joe Garuba
Municipal Projects Manager

JG:ad

cc: See Proof of Service (Rev. 03/19/2008; electronic service only)
City Manager
City Council
City Attorney

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE
STATE OF CALIFORNIA**

APPLICATION FOR CERTIFICATION
FOR THE **CARLSBAD ENERGY CENTER
PROJECT**

Docket No. 07-AFC-6
PROOF OF SERVICE
(Revised 4/1/2008)

INSTRUCTIONS: All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-6
1516 Ninth Street, MS-14
Sacramento, CA 95814-5512
docket@energy.state.ca.us

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DECLARATION OF SERVICE

I, Robin Nuschy declare that on 7-8-08, I deposited copies of the attached letter in the United States mail at Carlsbad with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

